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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF

Michael O'Doherty

SERIAL NO. 09/520,853

FILED: 7 March 2000

FOR: Improved Session Initiation Protocol (SIP)

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) Examiner: Kimberly D Flynn
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) Group Art Unit No. 2153
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) Customer number: 23644
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)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450," on December 19, 2003.
Name of person signing Jennifer J. Ramirez
Signature _____

RESPONSE TO ADVISORY ACTION OF 20 NOVEMBER 2003
ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION

Honorable Director of Patents and Trademarks
P O Box 1450
Alexandria, VA 22313-1450

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DEC 31 2003

Technology Center 2100

Dear Sir

These remarks respond to the comments on the continuation sheet in the advisory action of 20 November 2003.

All the independent claims of the present application require either storing executable computer software code in a SIP message or receiving a SIP message containing software code and executing the software code.

The term "computer software code" is well understood to mean a collection of executable computer program steps. This is distinct from computer data which is executed upon by computer software code.

There is no disclosure in the Handley SIP document of any SIP message containing computer software code.

As noted on page 20 of Handley (in the final paragraph) a SIP URL (which the Examiner suggests is computer software code) "follows the guidelines of RFC 2396 . . .". RFC 2396 is the standard definition of URLs such as http:, ftp: and so on. For the Examiner's reference, a document entitled "A Beginners Guide to URLs" is enclosed. This document is a standard primer issued by the National Center for Super Computing Applications in the early days of the Internet to explain the function of any uniform resource locator (URL) which includes SIP URLs. A URL is merely a pointer to a resource within a network. Thus a URL is data which can be parsed by computer software code in order to determine the network location of a resource. It is not software code.

In the case of a SIP URL (as explained on pages 20-25 of Handley), the resource typically is a user end station which is to be contacted using the SIP protocol. This is directly analogous to a user picking up a conventional telephone handset and dialling a telephone number; in which case the URL is the telephone number. On no level does this action or a SIP URL equate to executable computer programs.

As noted in RFC 2396 (the fundamental definition of a URL) a URL is a subset of the set of uniform resource indicators (URI) all of which "provide a simple and extensible means for identifying a resource" (see section 1.0 RFC 2396). RFC 2396 continues by explaining that "having identified a resource, a system may perform a variety of operations on the resource, as might be characterised by such words as "access", "update", "replace", or "find attributes"". Thus a URL is never executed. Instead, a URL may be used to point to a resource which may itself be executed (see for example claim 4 of the present application).

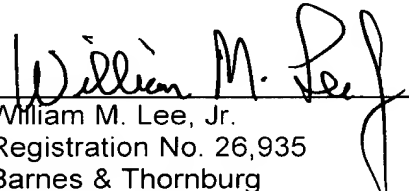
Accordingly, it is respectfully submitted that Handley does not disclose the inclusion of software code in a SIP message and in particular does not disclose the inclusion of software code in a SIP URL since to do so would fly directly in the face of the standard (RFC 2396) which defines URLs.

It is assumed that since the Examiner has not raised any other issues in the advisory action that no other issues remain outstanding. If this is not the case, the Examiner is referred back to the previous arguments in relation to the other prior art which has been submitted in previous responses and is asked to explain why such arguments are not found convincing, in view of the above.

Favorable reconsideration is therefore urged.

December 19, 2003

Respectfully submitted,



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